

IN THE SENATE OF THE UNITED STATES.

MARCH 31, 1880.—Ordered to be printed.

Mr. RANDOLPH, from the Committee on Military Affairs, submitted the following

REPORT:

[To accompany bill S. 254.]

The Committee on Military Affairs, to whom was referred the bill (S. 254) authorizing the President to place the name of Herman Biggs on the list of retired officers of the Army, have had the same under consideration, and submit the following:

The bill provides that the President be authorized to place on the list of retired officers of the Army Herman Biggs, with the rank of lieutenant-colonel; this being the actual rank held by him when in action he received the wound from which he suffers permanent disability.

Colonel Biggs graduated at West Point in 1856, and, as an officer of the Regular Army, served with distinction in various capacities before and during the late war. He served as chief quartermaster of the Department of North Carolina and Virginia, and of the expedition which, under General Burnside, captured New Berne. While serving under General Foster at the bombardment of Fort Johnston, North Carolina, Colonel Biggs received a splinter wound, which was deemed of little consequence at the time, but which since his resignation from the Army has caused him much expense and suffering, and which, after troubling him for sixteen years, has developed into a distressing and open wound, demanding a surgical operation.

His health being impaired, Colonel Biggs, at the close of the war, resigned his commission. In his approval at the time, General Meigs, in his indorsement, said, "Colonel Biggs is a most valuable officer, and the Quartermaster-General regrets that his services will be lost to the department."

Appended to this report, marked A, will be found certificates of surgeons as to the condition of Colonel Biggs's wound; also, marked B, a testimonial letter from the late Gen. George G. Meade; also, marked C, an earnest letter to Senator Edmunds from General Meigs, Quartermaster-General of the Army; also, marked D, a letter from Gen. Edward E. Potter; also, marked E, a letter from Gen. S. V. Benet, Chief of Ordnance; and also, marked F, his complete military record taken from General Cullom's "History of the Graduates of the Military Academy," to which is added a letter addressed to Senator Burnside from the Secretary of War. These documents, with numerous others in the possession of your committee, clearly establish the bravery, efficiency, and integrity of Colonel Biggs as an officer and a man.

Your committee, therefore, recommend the passage of the bill.

APPENDIX.

A.

1611 CHESTNUT STREET,
Philadelphia, December 4, 1878.

Bvt. Brig. Gen. Biggs has consulted me a number of times in reference to disease of the sterno-clavicular joint, in which abscess and sinus have formed and no doubt accompanied with caries of the articular surface of the bones. It of course disables him very much in using the arm, and will no doubt eventually involve an operation.

I make this statement, as it may favor the success of his future plans.

Very truly, your obedient servant,

D. HAYES AGNEW.

Dr. J. K. BARNES,
Surgeon-General, U. S. A.

1733 G STREET,
Washington, D. C., January, 1879.

I certify that I have carefully examined General Herman Biggs, and find him permanently disabled and suffering from a painful and running sore, produced by caries of the bone at the left sterno-clavicular articulation. This case is peculiarly distressing, as it is situated at the junction of the collar bone with the breast bone, and is rendered painful by each act of full respiration or effort to use the left arm. In my opinion it was caused by contusion, as I am led to believe from the history of the case.

BASIL NORRIS,
Surgeon, U. S. A.

B.

HEADQUARTERS MILITARY DIVISION OF THE ATLANTIC,
Philadelphia, September 11, 1871.

DEAR SIR: This letter will be handed to you by Col. H. Biggs, late of the United States Army, who is seeking for a position connected with the administration of some of our great railroads.

I have known Colonel Biggs for many years. He is a gentleman of high character, undoubted and inflexible integrity, and of decided administrative and executive abilities. During the war Colonel Biggs served in the Quartermaster's Department, occupying some of the highest posts in that important department, such as chief quartermaster in the Burnside North Carolina Expedition, and subsequently depot quartermaster at Philadelphia, in both of which positions his administrative talents, financial ability, and business integrity were greatly taxed, with a result highly creditable to him.

Should the Northern Pacific Railroad require the services of a person such as I have represented Colonel Biggs, I would, for the interests of both parties, strongly recommend Colonel B.'s employment.

Very respectfully, your obedient servant,

GEO. G. MEADE,
Major-General, U. S. A.

Hon. E. GREGORY SMITH,
President Union Pacific Railroad.

C.

WAR DEPARTMENT,
QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., February 11, 1879.

Hon. GEORGE F. EDMUNDS,
United States Senate:

MY DEAR SIR: Herman Biggs graduated at West Point in 1856. He was chief quartermaster of the expedition to North Carolina under command of General Burnside, and afterwards of the forces at Fort Monroe, on the York and on the James, commanded by General Butler.

He expended faithfully, prudently, discreetly, and honestly \$16,000,000 of the funds of Quartermaster's Department, and received and distributed much military material purchased and shipped to him by other officers of the Quartermaster's Department.

He gave in all this service entire satisfaction to his commanders, and rendered most laborious, efficient, and useful service to the country.

In October, 1865, the war being over, somewhat weakened in health, believing that he could make a living outside of the Army, and desiring to be entirely independent, he resigned.

He was then advised by his surgeon to go on the retired list, as he might ultimately suffer from a splinter wound received during the bombardment of Fort Johnston at New Berne.

Preferring entire independence, and not then considering the injury important, he preferred to resign absolutely.

For thirteen years he has supported himself and family and the expenses of a constantly growing injury without cost to the United States.

He now finds that he has an open wound, and injured articulation, that a surgical operation, probably more than one, will be necessary. He has not the right to the skillful service of the Army surgeons, and the expenses caused by his wound and the disability resulting from it are grievous burdens.

He desires some relief from Congress, and he is anxious that you who will vote on his application may know the grounds of it.

I give him, as an old officer of the Quartermaster's Department, reliance upon whom in those stirring times was a comfort to me, this letter, hoping that in the midst of your occupations you may be able to give him a few minutes' hearing, in order that he may be able to present his case fully to you.

I know the absorbing occupation of a Senator's time, but a few minutes may, I hope, be given to a good soldier and faithful servant of the country.

That he has not been an expense to the government for thirteen years should not in equity prejudice his claim now.

Very respectfully, your obedient servant,

M. C. MEIGS,
Quartermaster-General, Brevet Major-General, U. S. A.

D.

UNION CLUB, FIFTH AVENUE AND TWENTY-FIRST STREET,
New York, January 29, 1879.

Lieutenant-Colonel Biggs was chief quartermaster of the Department of North Carolina while I was chief of staff to Major-General Foster, commanding that department. Colonel Biggs was indefatigable in the discharge of his duties, careful of government property, and economical in the expenditure of money. When New Berne was attacked by a Confederate force on the 14th of March, 1863 (on which occasion Colonel Biggs received his injury), he was engaged in the discharge of his duties as chief quartermaster, and rendered efficient aid to the major-general commanding. With me he on that day crossed the River Neuse to Fort Johnston, which sustained the heaviest part of the enemy's attack, and at another period of the same day he was engaged in removing government vessels from the line of the enemy's fire.

EDWARD E. POTTER,
Late Brevet Major-General, U. S. V.

E.

ORDNANCE OFFICE, WAR DEPARTMENT,
Washington, December 15, 1879.

Lieut. Col. H. BIGGS, *City*:

DEAR BIGGS: Congress has come to the relief of officers whose cases were not more meritorious than your own. Instance, Colonel McLain, relieved by act of March 3, 1875. He resigned years before, not on account of disability, and yet was placed on the retired list, and with the rank which he *would have attained* had he remained in the service.

Yours is a stronger case. At the time of your resignation you had the option of the retired list on *account of wound received in service*. You preferred to resign, because at that time your means rendered you independent of governmental assistance. The United States has been the gainer for thirteen years of the amount of your retired pay, which you were entitled to under the laws.

Because of your present necessities you ask to be reinstated in the position which you could have held during that long period. Certainly your dispensing with the retired pay for thirteen years is no reason why you should be forced to dispense with it

for the remainder of your life. If you were entitled to it then, you are the more entitled to it now.

Favorable action on the part of Congress cannot establish a precedent. I do not believe that there is another case where an officer, *disabled in service* and entitled to be placed on the retired list, has preferred to resign, because at the time of his resignation he believed that he could live without his retired pay. And indeed, this act, so honorable to you as a man and soldier, after a long and distinguished career in the Army, ought to appeal strongly in your favor. I cannot believe that Congress will fail to give you the relief you ask.

Yours, very sincerely,

S. V. BENÉT,
Brigadier-General, Chief of Ordnance.

E.

1745....(Brn. N. Y.).....HERMAN BIGGS.....(Ap'd N. Y.)....35

Military history.—Cadet at the U. S. Military Academy from July 1, 1851, to July 1, 1856, when he was graduated and promoted in the Army to

Bvt. second lieutenant of infantry, July 1, 1856.

Served on frontier duty at Camp Cooper, Tex., 1856-'57; on sick leave of absence

(Second lieutenant, 1st Infantry, July 31, 1856)

1857-'58; on frontier duty at Camp Hudson, Tex., 1858; Ft. Inge, Tex., 1858; Ft. Duncan, Tex., 1858-'59; Camp Verde, Tex., 1859, and Indianola, Tex., 1859; and at the Military Academy, 1859, as asst. professor of geography, history, and ethics, Aug. 31

(First lieutenant, 1st Infantry, May 14, to Nov. 23, 1861)

1859, to May 13, 1861, and as adjutant May 13, to Oct. 10, 1861.

Served against the rebellion of the seceding States, 1861-'65 as chief quartermaster in

(Capt. staff, asst. quartermaster, Aug. 13, 1861)

fitting out Gen. Burnside's North Carolina expedition, Oct. 23, 1861, to Jan. 13, 1862, and of the Department of North Carolina Jan. 13 to July 5, 1862, being present at the attack of New Berne, March 16, 1862, and bombardment of Ft. Macon April 25-26, 1862; as chief quartermaster of the 9th Army Corps July 22, 1862, to Feb., 1863, being en-

(Lieut. colonel U. S. Volunteers, corps quartermaster, July 23, 1862, to Aug. 2, 1864)

gaged in Gen. Burnside's movement to Newport News and Fredericksburg, Va., July-Aug., 1862; Maryland campaign (Army of the Potomac), Sep.-Oct., 1862; on inspection of the quartermaster's department in North Carolina, Nov.-Dec., 1862; and in the Rapahannock campaign (Army of the Potomac), Dec., 1862, Feb., 1863, participating in the battle of Fredericksburg, Dec. 13, 1862; as chief quartermaster of the Department of North Carolina and 18th Army Corps Feb.-July 15, 1863; and of the Department of Virginia and North Carolina July 15, 1863, to Aug. 2, 1864, being engaged in organizing the extensive land and water transportation of Gen. Butler's expedition April-May, 1864, which he accompanied up the James River; and in charge (colonel, *ex-officio*, Aug. 2, 1864) of the inspection bureau in the Quartermaster-General's Office Sep. 1 to Oct. 1, 1864; and of the quartermaster's depot at Philadelphia, Pa., Oct. 1, 1864, to Oct. 9, 1865.

(Bvt. brig. general U. S. Volunteers, March 8, 1865)

(Bvt. major, bvt. lieutenant, colonel, and bvt. colonel, March 13, 1865, for faithful and meritorious services during the rebellion)

Resigned Oct. 9, 1865.

Letter from the Secretary of War, addressed to Senator Burnside:

WAR DEPARTMENT,
Washington City, January 21, 1879.

SIR: Referring to our conversation upon the subject, I have the honor to transmit herewith papers in the case of General Herman Biggs, and to say that it is my opinion that Congress should pass an act either permitting his name to be placed upon the retired list or upon the pension rolls.

Very respectfully,

GEO. W. MCCRARY,
Secretary of War.

HON. A. E. BURNSIDE,
United States Senate.

S. Rep. 424—2

